

**Commissioners Meeting
November 19, 2013**

Present: David Gogel, Mickey Toler, Al Logsdon, Chuck Painter, Cindy Painter, Tara Lloyd, Attorney Jeff Lindsey, Auditor Jane Lynam

Meeting was called to order by President David Gogel at 1:10 P.M.

Minutes

Toler made a motion to approve the November 5th minutes as presented. Logsdon seconded the motion, motion approved.

Southern Hills-Joe Kimmel

Joe Kimmel presented a copy of the Southern Hills annual report for the Commissioners to look over. Kimmel explained that the annual amount paid by the County is a State Mandated amount based on net assessed value. There are 5 counties that contribute to Southern Hills based on net assessed value; this is shown in the report. He also explained that in the last 12 months Southern Hills has provided \$6,222 of services to jail inmates of which the county was only billed \$2,781. The county is only billed 50% of standard services: all services are provided due to a Judge's order or the jail physician.

Logsdon asked if they had or were considering opening any type of juvenile offenders facility. Kimmel responded no because everything we do is mental health related; we try to keep as many people as we can out of the state hospital.

Awarding of Highway Bids

Bid Package #1 Gas & Diesel

Bid Package #1 was awarded on 11-5-13 to Synenergy: Synenergy was the only responsive bidder.

Bid Package #2 Crushed Limestone

Mulzer Crushed Stone and Corydon Stone were both responsive bidders. Painter recommended accepting both bids.

Logsdon made a motion to accept both bids on package #2. Toler seconded the motion, motion approved.

Bid Package #3 Gravel & Sand

Mulzer Crushed Stone was the only responsive bidder. Painter recommended accepting the bid from Mulzer.

Toler made a motion to accept the bid from Mulzer on sand and gravel. Logsdon seconded the motion, motion approved.

Bid Package #4 Bituminous Materials and Related Services

E&B Paving, Gohmann Asphalt, JH Rudolph and Metzger Construction were all responsive bidders. Painter recommended accepting all bids depending on location where we are working. Logsdon made a motion to accept all four bids. Toler seconded the motion, motion approved.

Bid Package #5 Transport Seal and Prime Oil

Asphalt Materials was the only responsive bidder.

Toler made a motion to accept Asphalt Materials bid on Package #5. Logsdon seconded the motion, motion approved.

Bid Package #6 Pipe

CPI was the only responsive bidder.

Logsdon made a motion to accept CPI's bid on Package #6. Toler seconded the motion, motion approved.

Extension Office

A request had been made by Mr. Bill Tipton for the county to waive their fee concerning WTH

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information. The Commissioners had requested someone from the Extension Office be present to explain the request.

Larry Dimmett was present and told the Commissioners that he was not aware that Tipton had asked for the waiver: he explained that it would be of no benefit to the Extension Office or the 4-H Association, they would still have to pay the same price.

Logsdon said since there would be no benefit to the Extension Office or the 4-H Association he would make a motion to not waive the fee for Mr. Tipton. Toler seconded the motion, motion approved.

Highway Report

Painter said Eric Haynes wanted to explain a problem he was having on CR 875 N. Painter explained that it is a platted road; however it is not on our inventory, so we do not maintain it.

Haynes explained that he owns property on the back side of CR 875 and is having problems with access due to one property owner claiming to own the road. He explained that he wasn't asking the County to maintain the road he just wants to have access to his property with no problems, and was asking the Commissioners to help get the problem resolved. Haynes had a copy of minutes from January 18, 1982 minutes state that there was a road closing County Road 850 N and 525 W to be closed 1.4 mile north to one-half quarter mile E in Grass Twp. Haynes said he has had numerous problems, and is afraid the problems will escalate into something else if the problem isn't solved. Commissioners asked Lindsey to check into the matter further and see what needed to be done.

Logsdon said that Bill Bockstahler was doing a history of schools in Spencer County and wanted permission to study the records that are located in the Courthouse basement. He will not remove any of the records; he will do the research here in the Courthouse. Toler said he could see no problems with letting him go ahead with his research.

Toler said he had emailed Rusty Fowler with INDOT and asked about the salt building in Chrisney. Fowler said they had no future plans of letting that building go.

Engineer Report

Lloyd said she had talked to the company that does the striping for the county and he said they were shut down for the winter.

Regarding the FA3 application for the possible overpass at CR 700 N she had three responses out of 6 inquiries sent out. Responses were from Bernardin, Lochmueller & Associates, Beam, Longest & Neff, and American Engineers, Inc. Basically they all three say the same thing, they will assist her in applying for and submitting the FA3 application and getting everything written up. She felt they were all qualified and had no problem with which ever engineering firm the Commissioners preferred to go with.

Toler made a motion to use Bernardin, Lochmueller & Associates. Logsdon seconded the motion, motion approved.

Lloyd said she had provided Jim Morley with Morley & Associates all the permitting that needs to be done through the county for the fertilizer plant.

Legal Report

Lindsey explained that Wells Fargo is willing to make a donation of a residential property in Grandview that they acquired on a foreclosure. The idea would be that we would be a conduit to give it to a 501C3 or some other organization that would make good use of it as they see fit: before we entered into the donation agreement we had to have a recipient organization. Toler and Lindsey both spoke to The Way and they agreed to be that recipient.

Lindsey said he had put together a Donation Agreement which is basically the same as the one we would sign with Wells Fargo for The Way. He added additional provisions that our agreement with The Way would be subject to our receipt of the gift from Wells Fargo.

Joe Griepenstroh, President of The Way, told the Commissioners they were planning to fix up the property and sell it and use the money for programs they provide.

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Logsdon made a motion to accept the property from Wells Fargo and then to donate it to The Way and to authorize the President to sign the documents that would accomplish that. Toler seconded the motion, motion approved.

Ordinance No 2013-12 Residential Storm Drain Culverts and Enclosures.

Toler made a motion to introduce by first reading Ordinance No 2013-12 for the Residential Storm Drain Culverts and Enclosures. Logsdon seconded the motion, motion approved.

Ordinance No 2013-10 Flood Hazard Area Regulations

Logsdon made a motion to approve on second reading Ordinance No 2013-10 which amends the Spencer County Zoning Ordinance adopting Flood Hazard Area Regulations as required by IDEM. Toler seconded the motion, motion approved.

Ordinance No 2013-11 Amending Spencer County Zoning

Toler recused himself from voting on this ordinance. Logsdon made a motion to approve on the second reading Ordinance No 2013-11 to amend Spencer County Comprehensive Ordinance by rezoning the Marvin and Ruth Thomas property from B-P3 to R-2. Gogel seconded the motion, motion approved.

Lindsey said he had checked with Kent Irwin on a start date for John Rudisill since he started working part time in 2006, but has basically been working a full time schedule. Irwin recommended using the start date of 1-1-14 for Rudisill as that date will be his official start date for full time with benefits. No action by the Commissioners is required. Lindsey will explain to the Clerk and Election Board what the decision was. Logsdon told Lindsey to be sure and thank Rudisill for his hard work and dedication on behalf of the Commissioners.

Old Business

Rick Culiver from Lieberman Technologies explained that he had contacted David Hanson with AT&T as the Commissioners requested at the last meeting. Hanson had presented a quote for the Commissioners consideration

Lieberman Technologies quote was using Wind Stream and Lieberman would act as the liaison to make sure that everything is done as it should be, but the county has to make the choice.

The system they will put in is a completely new system, and will not tie in with the existing. Culiver said he would check with Eck Mundy to see what problems we had previously, to hopefully avoid any in the future.

Gogel asked if the Sheriff's Office had budgeted for this in next year's budget; we need to check on this to make sure the additional cost has been addressed.

Logsdon said we also need to make sure the system meets the Sheriff and the Judges' requirements.

Toler made a motion to utilize Lieberman Technologies for the installation and band width supply for use of the new system for the Judge and the jail conditioned on funding and that the Judge and Sheriff are satisfied with the system. Logsdon seconded the motion, motion approved.

New Business

Bill Glenn, Edie Weber, Emily Bruggenschmidt, Steve Obermeier and Byron Stallings were in attendance to speak to the Commissioners concerning turkey farms coming in south of Hatfield.

Bill Glenn, a member of the Reo Water Board explained that they are concerned about the possibility that the turkey operation would pollute a major aquifer and the potential for the pollution to be carried far away and into wells someplace else. Once the aquifer has been polluted there is no way to clean it; the high water table and sandy soil adds to this concern.

They have talked to IDEM, Purdue, and the Alliance of Waterways; they are asking that IDEM hold a public hearing here so that everyone will know what is going on.

Glenn said they had asked Nick Held with Purdue if he felt there was a possibility of a turkey operation contaminating the ground water and his answer was yes especially in areas of high water tables and sandy soil.

Edie Weber, Emily Bruggenschmidt, Steve Obermeier, and Byron Stallings also spoke of their concerns with the turkey farms coming into the area. They are all concerned about the water Pollution factor, air quality was an issue that was also of concern.

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Glenn presented materials to the Commissioners for them to read over.

After much discussion Logsdon said he felt that the next step would be to work with IDEM, Reo Water, Grandview, Rockport, and Boonville because they also get water from that aquifer.

Logsdon explained that as Commissioners they don't receive Confined Feeding Operations Applications, they go to IDEM and the Zoning Board, so when it was brought before them today was the first they had heard about this operation

Gogel said they would do further study to see what they could find out. Logsdon asked the group to email them other information as it becomes available.

Toler said he had a question from Todd Menhennitt with M&M Cleaning concerning whether they wanted to go ahead with the cleaning and waxing they do regularly in November or did they want to start stripping. Logsdon suggested using the former law library as a trial for the stripping, but to go ahead as regular with the cleaning/waxing over the Thanksgiving holiday.

Toler said he would contact Menhennitt and let him know how to proceed.

Logsdon thought we needed someone to do a presentation on TIF districts and how they impact counties so we can better understand the TIF situation.

Toler made a motion to adjourn. Logsdon seconded the motion, motion approved.

Meeting was adjourned at 4:37 P.M.

President

Attest:

Auditor, Jane Lynam